



CALIFORNIA RURAL LEGAL ASSISTANCE, Inc.

Copy sent via facsimile transmission

MARYSVILLE OFFICE

Ilene J. Jacobs
*Director of Litigation,
Advocacy & Training*
Also admitted in District of Columbia
and Maryland

**511 D Street
Post Office Box 2600
Marysville, CA 95901
Telephone 530.742.7235
Fax 530.741.0854
ijacobs@crla.org**

CENTRAL OFFICE

631 Howard Street, Suite 300
San Francisco, CA 94105-3907
(415) 777-2752

José R. Padilla
Executive Director

Luis C. Jaramillo
Deputy Director

Ralph Santiago Abascal
*General Counsel
(1934-1997)*

*Directors of Litigation,
Advocacy and Training*
Jack Daniel
in Fresno

William G. Hoerger
Ilene J. Jacobs
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November 4, 2004

Deputy Secretary Tam M. Doduc
California Environmental Protection Agency
1001 I St., 25th Floor
Sacramento, CA 95814

Re: Environmental Justice Action Plan Pilot Project by the State Water
Resources Board, *Workshop November 8, 2004 - Sacramento*

Dear Deputy Secretary Doduc:

California Rural Legal Assistance, Inc. (CRLA) submits these comments in response to the request for comments on the Environmental Justice Action Plan Proposed Pilot Project by the State Water Resources Control Board. CRLA is unable to attend the November 8, 2004 workshop on the pilot project and instead submits this letter.

CRLA agrees with Secretary Tamminen that public participation will be critical to the success of the Environmental Justice Action Plan of the California Environmental Protection Agency. We take this opportunity to share our experiences and concerns.

We agree that environmental justice is about the fair treatment of all people, however, while all people deserve environmental justice, not all face the same level of environmental threat. Environmental Justice (EJ) programs that do not recognize this are likely to underserve the very neediest of our clients, farmworkers and low income workers, racial and ethnic minorities, and recent immigrants, who are isolated not only culturally and linguistically but also spatially, relegated to substandard housing in marginal communities lacking even the most basic municipal services. EJ programs should be about pollution reduction and prevention for those who, because of poverty and race, are exposed to more numerous and more serious health hazards.

We also emphasize the importance of infrastructure to environmental justice. Inadequate infrastructure inhibits economic development, contributes to pollution and can have deleterious affects on both the community and personal health of residents. Inadequacy of water quality and supply for example, can inhibit the development of decent, safe and sanitary affordable housing and directly affect the health of communities.

This has been the case in West Fresno County, where problems related to an already bleak housing supply have been exacerbated by the retirement of agricultural land under the jurisdiction of the Westlands Water District. Land retirement and its attendant changes in water rights, are likely to substantially adversely affect already environmentally threatened farm workers and their families, who now are being displaced from their homes and dislocated from their jobs.

CRLA recommends that the State Water Resources Control Board evaluate water needs and the enforcement of laws related to the beneficial use and holding the public trust of water within these communities, who grew dependent on this water for irrigation and now face significant impact by the change in use of this water in order to improve housing conditions, economic development potential and quality of life in these and other small rural communities with a particular focus on the impact of agricultural land retirement and the State's role in allowing the water rights holders to be limited to the landowners and not the entire community which the water serves both economically and environmentally.

Very truly yours,



Ilene J. Jacobs

Director of Litigation, Advocacy and Training

cc: Celeste Cantú, Executive Director, State Water Resources Control Board
Adrian Perez, Chief, EJ Coordinator, State Water Resources Control Board
Jose R. Padilla, California Rural Legal Assistance, Inc.
Martha Guzman, California Rural Legal Assistance Foundation
Jack Daniel, California Rural Legal Assistance, Inc.
William Hoerger, California Rural Legal Assistance, Inc.